

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)



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| Applicant's or agent's file reference F17378 JAL | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416) | |
| International application No. PCT/IB 03/02512 | International filing date (day/month/year) 27.06.2003 | Priority date (day/month/year) 28.06.2002 |
| International Patent Classification (IPC) or both national classification and IPC B62B3/02 | | |
| Applicant NAUDE, François Paulus Jr. et al. | | |

1. This International preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

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| Date of submission of the demand 28.01.2004 | Date of completion of this report 22.09.2004 |
| Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 | Authorized Officer Feber, L Telephone No. +49 89 2399-2932  |

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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IB 03/02512**

I. Basis of the report

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

2-17

as originally filed

1

received on 06.09.2004 with letter of 27.08.2004

Claims, Numbers

1-19

received on 06.09.2004 with letter of 27.08.2004

Drawings, Sheets

1/6-6/6

as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/B 03/02512**

5. ☒ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

see separate sheet

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|-------------|------|
| Novelty (N) | Yes: Claims | 1-19 |
| | No: Claims | |
| Inventive step (IS) | Yes: Claims | 1-19 |
| | No: Claims | |
| Industrial applicability (IA) | Yes: Claims | 1-19 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB 03/02512

Concerning I

The following amendments go beyond the disclosure in the application as filed and do therefore contravene Article 34(2)(b) PCT:

- In amended claim 1, it is stated that the trolley has at least one elongate curved leg although the trolley according to the original disclosure has a pair of elongate curved legs,
- in amended claim 4, the range is 0,5 - 0,6m although in original claim 4, the range is 0,45 - 0,6m;
- in amended claim 19 it is not indicated anymore that the trolley is secured to the vehicle such that the holder has an orientation similar to its orientation when the trolley is on the ground.

Concerning V

The application relates to a shopping trolley which can be stored in the boot of a vehicle. The nearest state of the art is disclosed in prior art document EP-A-0286520 which shows a foldable trolley.

Claim 1 defines slidably retractable curved legs instead of a foldable structure. This solution, which is not suggested by the available prior art, permits loading the trolley into the vehicle without exposing the shopper to the weight of the trolley's content. For the above reasons the requirements of Article 33 (2) and (3) PCT are met.

Dependent claims 2-19 relate to improvements of the inventive subject-matter defined in claim 1 and do therefore also meet the requirements of Articles 33 (2) and (3) PCT.

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